IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 303 OF 2005
IN
WRIT PETITION NO.3520 OF 1991

Spaco Carburettors India Ltd.
and Another .. Petitioners

V/s
1.Raj Kumar,
Dy. Commissioner of Income
Tax and Another .. Respondents

Miss. Joshi i/b M/s Mulla & Mulla & CBC for petitioner

CORAM: S. RADHAKRISHNAN
AND
J.H.BHATIA, JJ.
DATE : 5TH JULY,2005.

P.C.

1. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

2. By this notice of motion the petitioner is seeking leave to recall an order dated 14.6.2005 whereby the above petition was dismissed in default. We have perused affidavit in support of notice of motion and the reasons stated therein. Sufficient cause is made out for recalling an order dated 14.6.2005. There is no case of inaction,negligence or want of bonafide. Hence, this notice of motion is made absolute in terms of prayer clauses (a) and (b). Place writ petition for final hearing on 01.08.2005.

S.RADHAKRISHNAN,J.

J.H.BHATIA,J.